

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

REXON INDUSTRIAL CORPORATION, LTD.,)

Plaintiff,)

v.)

Civil Action No. 04-CV-30180-MAP

PORTER-CABLE CORPORATION,)
DELTA INTERNATIONAL MACHINERY)
CORP. and PENTAIR, INC.,)

Defendants.)

BLACK & DECKER INC.,)
BLACK & DECKER (U.S.) INC. and)
PORTER-CABLE CORPORATION,)

Plaintiffs-in-Counterclaim,)

v.)

REXON INDUSTRIAL CORPORATION, LTD.)
and REXON USA, CORP.)

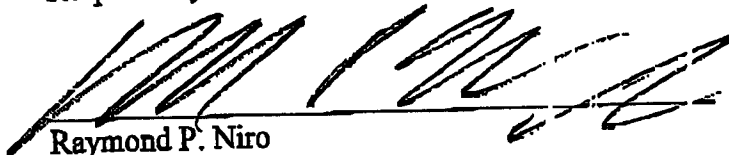
Defendants-in-Counterclaim.)

RE-NOTICE OF DEPOSITION OF JAMES LANCASTER

PLEASE TAKE NOTICE that Black & Decker shall take the deposition upon oral examination of Mr. James Lancaster, pursuant to Rule 30, Fed.R.Civ.P., at the offices of McCormick, Paulding & Huber LLP, CityPlace II, 185 Asylum Street, Hartford, Connecticut 06103-5290, beginning on December 16, 2005 at 9:30 a.m. and continuing from day-to-day until completed. The deposition will be recorded stenographically and may be recorded videographically. You are invited to attend and cross examine.

Please produce the documents identified in the attached Schedule A by December 1, 2005.

Respectfully submitted,



Raymond P. Niro

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Christopher J. Lee

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**Attorneys for Black & Decker Inc., Black & Decker
(U.S.) Inc., Porter-Cable Corporation and Delta
International Machinery Corporation**

CERTIFICATE OF SERVICE

I hereby certify that on November 8, 2005, a true and correct copy of the foregoing RE-NOTICE OF DEPOSITION OF JAMES LANCASTER was served by Facsimile and First Class Mail

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SCHEDULE A

The following definitions and instructions apply to this Schedule:

The term "Rexon" refers to Rexon Industrial Corporation, Ltd. and Rexon USA, Corp., and all divisions, subsidiaries and entities owned or controlled by Rexon Industrial Corporation, Ltd. and/or Rexon USA, Corp., and all affiliates, predecessors in interest or successors in interest of Rexon Industrial Corporation, Ltd. and/or Rexon USA, Corp.

The term "document" means all handwritten, typed, printed, recorded or graphic matter however produced or reproduced, whether copies or originals, in the possession, custody or control of defendant its owners, employees or attorneys, including, but not limited to, letters, cables, wires, e-mail, voice mail, memoranda and interoffice communications; reports, notes, minutes and recordings, drawings, blueprints, sketches, charts, photographs and movies; patents, patent applications, assignments, contracts, agreements and other official documents and legal instruments; published material of any kind; annual reports, reports to shareholders or owners and minutes or reports of meetings of owners or directors or executive boards or committees; operating or maintenance manuals and specifications; advertising or promotional literature and press releases; engineering notebooks and data; and ledgers, bills, orders, invoices, receipts, books, records and files.

The term "pertaining to" means relevant to, referring to, alluding to, responding to, connected with, commenting on, with respect to, about, regarding, discussing, showing, describing, reflecting, relating to, constituting or mentioning documents, information, persons or subject matter.

The term "the Lawsuit" means *Rexon Industrial Corporation, Ltd. v. Porter-Cable, Corporation, et al.* Civil Action No. 04-C-30180 (D. Mass).

To the extent documents or things responsive to this subpoena are confidential, such documents and things will be treated in accordance with the Stipulated Protective Order entered in this action, a copy of which was served on you with the subpoena.

Categories of Documents and Things

1. Documents and things pertaining to Craftsman saws identified as Model Nos. 21254, 21206, 21214 and 21215 including the conception, research, development, testing, formulation, manufacture, marketing and sale of these Craftsman saws.
2. Documents and things identifying or otherwise pertaining to the design and manufacture of Craftsman saws identified as Model Nos. 21254, 21206, 21214 and 21215
3. Documents and things pertaining to any changes in the design or manufacture of Craftsman saws identified as Model Nos. 21254, 21206, 21214 and 21215.

4. Documents and things pertaining to the dust collection system featured on Craftsman saws identified as Model Nos. 21254, 21206, 21214 and 21215.

5. Documents and things pertaining to the laser capability featured on Craftsman saws identified as Model Nos. 21254, 21206, 21214 and 21215.

6. Documents and things pertaining to any United States Patent Nos. 5,375,495; 5,285,708; 6,688,203; 5,819,619; 6,431,040 and/or 6,427,570; and/or the subject matter of these patents.

7. Documents and things pertaining to The Black & Decker Corporation, Black & Decker (U.S.) Inc., Black & Decker Inc., Porter-Cable Corporation and or Delta International Machinery Corp.

8. Documents and things pertaining to the Lawsuit and/or the subject matter of the Lawsuit.

9. Communications with Rixon pertaining to miter saws including, but not limited to, Craftsman saws identified as Model Nos. 21254, 21206, 21214 and 21215.

10. Documents and things pertaining to the miter saw power tool market.

11. Documents and things referring to any comparative analysis between any Porter-Cable or Delta Machinery miter saw product and any Craftsman saw identified as Model Nos. 21254, 21206, 21214 and 21215.

12. Documents and things referring to any advantage, benefit or distinguishing characteristic of any Craftsman saw identified as Model Nos. 21254, 21206, 21214 and 21215 over any other miter saw product.

13. Documents of Power Tool Specialists pertaining to any Craftsman saw identified as Model Nos. 21254, 21206, 21214 and 21215.

14. Documents of Power Tool Specialists pertaining to The Black & Decker Corporation, Black & Decker (U.S.) Inc., Black & Decker Inc., Porter-Cable Corporation and or Delta International Machinery Corp.

15. Any copies of prior deposition transcripts, court hearing transcripts or trial testimony transcripts in which you testified or provided testimony regarding any trademark or patent dispute related to power tool products.

16. Documents of Power Tool Specialists pertaining to any Porter-Cable or Delta Machinery miter saw product.

17. Documents pertaining to the marketing, promotion, advertising, offer for sale and/or sale of any Craftsman saw identified as Model Nos. 21254, 21206, 21214 and 21215 on behalf of REXON or Power Tool Specialists.

18. Documents pertaining to the importation, distribution and service of any Craftsman saw identified as Model Nos. 21254, 21206, 21214 and 21215 on behalf of REXON or Power Tool Specialists.

19. Documents pertaining to the dollar and unit volume of sales of any Craftsman saw identified as Model Nos. 21254, 21206, 21214 and 21215 on behalf of REXON or Power Tool Specialists.

20. Documents and things between REXON and/or Power Tool Specialists and Sears Roebuck & Co. regarding any Craftsman saw identified as Model Nos. 21254, 21206, 21214 and 21215.

21. Documents pertaining to specifications communicated to REXON or Power Tool Specialists regarding the features of any miter saw product distributed by REXON and/or Power Tool Specialists.

22. Documents identifying the individuals responsible for the marketing, promotion, offer for sale and sale of any Craftsman saw identified as Model Nos. 21254, 21206, 21214 and 21215.

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NOV 09 2005

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FROM: Raymond Niro Jr.

DATE: November 9, 2005

TIME: 4:01 pm

TOTAL NUMBER OF PAGES (including cover page): 7. If you do not receive all of the pages, please call (312) 236-0733 and ask for Susan Swierk.

COMMENTS:

*see Rule 30(b)(5)
re: documents*

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